



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,581	09/12/2003	Hiroshi Iida	117158	5273
25944 7590 11/13/2008 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
SMITH, GARRETT A				
ART UNIT		PAPER NUMBER		
2168				
MAIL DATE		DELIVERY MODE		
11/13/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/660,581

Applicant(s)

IIDA, HIROSHI

Examiner

Garrett Smith

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office action is regarding Applicant's response filed 24 July 2008 to a prior Office action. Claims 1 – 17 are pending. Claim 1 is amended.
2. This Office Action is the **Fourth Action, Final Rejection**.

Response to Arguments

35 USC § 103(a)

3. Applicant's arguments (page 7 – 8) and amendments, filed 24 July 2008, regarding the rejection under 35 USC § 103(a) of claims 1 – 17 have been fully considered but they are not persuasive.

Applicant argues, "These web browsers simply display information for access to and from the database, and do not execute various document modification workflow processes on document data in cooperation based on an instruction form, as presently claimed". The Examiner respectfully disagrees. As Applicant has not defined or limited "various document-modification workflow process" to a specific set or group of processes, displaying workflow-related data can be considered by a person of ordinary skill to be included in the list of "workflow processes" (the display of the document is modified). Further, HTML documents can be considered "instruction forms" as HTML is read by the browser and processed according to a rule-set (HTML interpreter). Thus, displaying workflow data in a web browser is a "various workflow process".

Applicant further argues, "The alleged storing in Fogarasi, even temporarily, does not correspond to a storage part which stores source data in relation to information in

the instruction form, where the instruction form describes information for control of cooperation process of services." The Examiner respectfully disagrees. The phrase "in relation to" effectively means "associated". Thus, as the "instruction form" (web document) is interpreted as including workflow related data, Fogarasi meets the limitation.

The Examiner would like to point out that Applicant's argues regarding "in cooperation" are unpersuasive as well. Applicant's claims do not describe the nature or conditions in which these processors are cooperating. Thus, even the mere existence in the same system requires, at minimum, some form of cooperation. Applicant should further define and describe the nature of the cooperation.

For these reasons, the rejection under 35 USC § 103(a) of claims 1 – 17 is **maintained**.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fogarasi et al (US Patent 6,128,619; patented 3 October 2000) in view of Johnson et al (US Patent 5,813,009, patented 22 September 1998) and in further view of Jeffery et al (US Patent 6,957,384; filed 27 December 2008).

7. In regard to **claim 1**, Fogarasi et al teaches:

An instruction form creation server that creates an instruction form that instructs various processes to be executed on document data (*col 5, lines 33 – 40; Hypertext forms are created by the class definition tool*); and

A plurality of service processors (*note: this is interpreted as multiple clients*) that execute the various processes on the document data in cooperation based on the instruction form (*col 5, lines 33 – 40; web browsers*), each service processor of the service processors comprising:

A process part which obtains source data to be processed and executes a process on the source data based on the instruction form to generate processed data (*col 5, lines 33 – 40; web browsers display the source information from the database*);

A storage part which stores the source data in relation to identifying information that identifies the process instructed in the instruction form (*each of clients stores at least temporarily source data used in the displaying process*).

Fogarasi et al. does not explicitly teach retention flags used by a control part. However, Johnson et al, teaches a control part which controls the storage part based on setting information in the instruction form which presets whether the source data should be stored or not (*col 11, lines 29 – 40; the information filter sets retention flags*). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the retention flags of Johnson et al. with the system of Fogarasi et al. because various data may be updated data that must be returned to the database while other data may only be extraneous.

Fogarasi et al. in view of Johnson et al. does not explicitly teach where the various processes are document-modification workflow processes. However, Jeffery et al. teaches where the various processes are document-modification workflow processes (*see Figure 32 and col 15, lines 27 – 50; a contract document workflow system based in a web browser*). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the contract workflow management system of Jeffery et al. with the system of Fogarasi et al. in view of Johnson et al. because it allows for effective management of work products through a system and it is logical extension (and specific implementation) of the event/state system of Figure 8 of Fogarasi et al.

8. In regard to **claim 2**, Johnson et al further teaches the storage part further stores individual identifying information that is unique to the service processor and identifies

the process which is performed by the service processor (*col 10, lines 26 – 30; the filter maintains information about the device the data came from*).

9. In regard to **claim 3**, Johnson et al further teaches the storage part stores the source data, which is encrypted depending on a predetermined setting of encryption (*col 20, lines 43 – 44; encryption is optional*).

10. In regard to **claim 4**, Fogarasi et al further teaches a storage device which stores the source data stored in the storage part (*each of clients stores at least temporarily source data used in the displaying process*).

11. In regard to **claim 5**, Johnson et al further teaches the storage device obtains and stores the source data in relation to the identifying information stored in the storage part of the service processor at a predetermined threshold value or a predetermined timing (*col 11, lines 47 – 48; the Special Handling module has a specified retention period for data within*).

12. In regard to **claim 6**, Johnson et al further teaches the storage device stores differential information before and after the various processes as the source data among service processors (*col 12, lines 16 – 19; record data is stored about information “before” and “after” information is sent to the ILM database*).

13. In regard to **claim 7**, Fogarasi et al teaches:

Creating an instruction form that instructs various processes to be executed on document data by plural service processors in cooperation (*col 5, lines 33 – 40; Hypertext forms are created by the class definition tool*)

Executing the processes on source data with the service processors connected to a network to generate processed data, based on the instruction form (*col 5, lines 33 – 40; web browsers display the source information from the database*); and

Storing the source data in a predetermined storage area in relation to identifying information that identifies one of the processes instructed in the instruction form based on setting information in the instruction form.

Fogarasi et al does not explicitly teach retention flags used by a control part. However, Johnson et al teaches a control part which controls the storage part based on setting information in the instruction form which presets whether the source data should be stored or not (*col 11, lines 29 – 40; the information filter sets retention flags*). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the retention flags of Johnson et al with the system of Fogarasi et al because various data may be updated data that must be returned to the database while other data may only be extraneous.

Fogarasi et al. in view of Johnson et al. does not explicitly teach where the various processes are document-modification workflow processes. However, Jeffery et al. teaches where the various processes are document-modification workflow processes (*see Figure 32 and col 15, lines 27 – 50; a contract document workflow system based in a web browser*). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the contract workflow management system of Jeffery et al. with the system of Fogarasi et al. in view of Johnson et al. because it allows for effective

management of work products through a system and it is logical extension (and specific implementation) of the event/state system of Figure 8 of Fogarasi et al.

14. In regard to **claim 8**, Johnson et al further teaches the storage part further stores individual identifying information that is unique to the service processor and identifies the process which is performed by the service processor (*col 10, lines 26 – 30; the filter maintains information about the device the data came from*).

15. In regard to **claim 9**, Johnson et al further teaches the source data is encrypted depending on a setting of encryption included in the instruction form and is then stored in the storage area (*col 20, lines 43 – 44; encryption is optional*).

16. In regard to **claim 10**, Johnson et al and Fogarasi et al further teaches the storage area is the service processor (*Johnson et al: Information Filter (fig 1A); Fogarasi et al: each of clients stores at least temporarily source data used in the displaying process*).

17. In regard to **claim 11**, Johnson et al further teaches the storage area is the storage device connected to the network (*ILM database (fig 1B)*).

18. In regard to **claim 12**, Johnson et al further teaches the source data to be stored stores differential information before and after the processes as the source data among the service processors (*col 12, lines 16 – 19; record data is stored about information “before” and “after” information is sent to the ILM database*).

19. In regard to **claim 13**, Fogarasi et al teaches

A process part which obtains source data to be processed and executes a process on the source data based on the instruction form to generate processed data

(col 5, lines 33 – 40; web browsers display the source information from the database Hypertext forms are created by the class definition tool) ;

A storage part which stores the source data in relation to identifying information that identifies the process instructed in the instruction form *(each of clients stores at least temporarily source data used in the displaying process).*

Fogarasi et al does not explicitly teach retention flags used by a control part. However, Johnson et al teaches a control part which controls the storage part based on setting information in the instruction form which presets whether the source data should be stored or not *(col 11, lines 29 – 40; the information filter sets retention flags).* It would have been obvious to a person of ordinary skill in the art at the time of invention to use the retention flags of Johnson et al with the system of Fogarasi et al because various data may be updated data that must be returned to the database while other data may only be extraneous.

Fogarasi et al. in view of Johnson et al. does not explicitly teach where the various processes are document-modification workflow processes. However, Jeffery et al. teaches where the various processes are document-modification workflow processes *(see Figure 32 and col 15, lines 27 – 50; a contract document workflow system based in a web browser).* It would have been obvious to a person of ordinary skill in the art at the time of invention to use the contract workflow management system of Jeffery et al. with the system of Fogarasi et al. in view of Johnson et al. because it allows for effective management of work products through a system and it is logical extension (and specific implementation) of the event/state system of Figure 8 of Fogarasi et al.

20. In regard to **claim 14**, Fogarasi et al teaches

A processor provided to a service domain, the processor obtaining source data and executing processes on the source data to generate processed data, based on an instruction form that instructs various processes to be executed on document data (*col 5, lines 33 – 40; web browsers display the source information from the database Hypertext forms are created by the class definition tool*);

A storage provided to a service domain, the storage storing the source data to be processed at the service domain with data from the instruction form for defining the processes instructed in the instruction form (*each of clients stores at least temporarily source data used in the displaying process*).

Fogarasi et al does not explicitly teach retention flags used by a control part. However, Johnson et al teaches a control part which controls the storage part based on setting information in the instruction form which presets whether the source data should be stored or not (*col 11, lines 29 – 40; the information filter sets retention flags*). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the retention flags of Johnson et al with the system of Fogarasi et al because various data may be updated data that must be returned to the database while other data may only be extraneous.

Fogarasi et al. in view of Johnson et al. does not explicitly teach where the various processes are document-modification workflow processes. However, Jeffery et al. teaches where the various processes are document-modification workflow processes (*see Figure 32 and col 15, lines 27 – 50; a contract document workflow system based in*

a web browser). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the contract workflow management system of Jeffery et al. with the system of Fogarasi et al. in view of Johnson et al. because it allows for effective management of work products through a system and it is logical extension (and specific implementation) of the event/state system of Figure 8 of Fogarasi et al.

21. In regard to **claim 15**, Johnson et al further teaches the storage stores the source data with a self-identifying data for identifying process to be executed at the service domain (*col 11, lines 29 – 40; data is stored to identify a service to be performed later*).

22. In regard to **claim 16**, Johnson et al further teaches the preset data includes an encrypting setting (*col 20, lines 43 – 44; encryption is optional*).

23. In regard to **claim 17**, Johnson et al further teaches a main storage that stores the source data stored in the storage (*Special Handling module (22), Information Filter (fig 1A) and ILM database (fig 1C)*).

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Garrett Smith whose telephone number is (571)270-1764. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 13, 2008

/GS/
Garrett Smith
Patent Examiner
Art Unit 2168

/Tim T. Vo/
Supervisory Patent Examiner, Art Unit 2168